

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

CERTAIN UNDERWRITERS AT
LLOYDS, LONDON,
Plaintiff,

v.

FOUR J'S COMMUNITY LIVING
CENTER, INC., *et al.*,
Defendants.

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CIVIL ACTION NO. H-11-0713

MEMORANDUM AND ORDER

This insurance coverage dispute is before the Court on the Motion to Dismiss or Strike the Complaints and Answers in Intervention (“Motion”) [Doc. # 46]. Intervenor Wylette Taylor, as Guardian of Derrick James, filed no opposition to the Motion. Intervenor Patti Wagner, as Guardian of Jenny Wagner, filed a Notice of Order Issued in Related Litigation [Doc. # 44], a Response to the Motion [Doc. # 48], and a Notice of Order Issued in Related Litigation [Doc. # 49]. Wagner advises the Court that the final judgment on which leave to intervene was based has now been vacated by the state court, a new trial has been ordered, and Intervenor’s Motion for Reconsideration filed in state court has been denied. Wagner concedes that there no longer exists a final judgment on which to base the intervention. Accordingly, it is hereby

ORDERED that Plaintiff's Motion to Dismiss or Strike [Doc. # 46] is **GRANTED** and the Interventions are **DISMISSED WITHOUT PREJUDICE** and **STRICKEN**.

SIGNED at Houston, Texas, this 9th day of May, 2012.



Nancy F. Atlas
United States District Judge